IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 18133 of 2004

Between:

1.G. Karunakar Rao, S/o. Venkatarao,
PEDAMIRAM (V), Kalla (M), West Godavari District.
2.G. Venkatarao, S/o. Narasimhulu,
PEDAMIRAM (V), Kalla (M), West Godavari District.

..... PETITIONERS

AND

Sub Inspector of Police, Kalla Police Station, Kalla Mandal, West Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more in the nature of Writ of Mandamus directing the respondent not to interfere with the personal liberty of the petitioners without due process of law, by declaring that the high handed action of the respondent in threatening and detaining the Petitioners in Police Station is highly unwarranted abuse of power and violative of Arts 14 & 21 of the Constitution of India.

Counsel for the Petitioners: MR.C.RAMACHANDRA RAJU

Counsel for the Respondent: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondent-Sub-Inspector of Police, Kalla Police Station, Kalla Mandal, West Godavari District, in threatening and detaining the petitioners in the Police Station, as arbitrary and illegal and violation of Articles 14 and 21 of the Constitution of India.

In the affidavit filed in support of the writ petition, it stated that the petitioners are the law abiding citizens and no crime is registered against them in Kalla Police Station in connection with any offence. It is alleged that the respondent has been summoning the petitioners to the Police Station and abusing in filthy language and pressurising the first petitioner to marry one B.Vanitha. Hence, this writ petition.

A counter affidavit has been filed by the Sub-Inspector of Police, Kalla Police Station, West Godavari District, dated 26.10.2004, denying all the allegations made by the petitioners. It is stated that at no point of time, the respondent interfered with the personal liberty of the petitioners since no complaint has been registered against them. It is also stated that he has nothing to do with the alleged dispute between the petitioners and said B.Vanitha with regard to their

marriage and that no complaint has been received so far against the petitioners and no crime is registered against them in connection with any offence in Kalla Police Station.

Accordingly recording the statements of the respondent in the counter affidavit denying the allegations made by the petitioners, the writ petition is disposed of. No costs.

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02.11.2004

VGB

To

1. Sub Inspector of Police, Kalla Police Station, Kalla Mandal, West Godavari District.

2. 2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

3. 2CD Copies.